THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 25089 of 2005

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Dated: 30.11.2005

Between:

K.Sarvesham, S/o.Venkatanarasaiah,
H.No.3-10-186, Kumarapally, Hanumakonda,
Warangal District.

..... PETITIONER

AND

The Superintending Engineer (R & B),
Warangal Circle, Warangal District.

.....RESPONDENT

ORDER:

The petitioner submitted his tender through e-procurement for the work of annual maintenance of roads in Roads and Buildings sub-division of Hanumakonda. The same was processed along with other tenders. However, on finding that the petitioner did not submit the original of demand draft, the respondent herein passed an order dated 29.09.2005 debarring the petitioner from participating in the tenders in the R & B Circle, Warangal for a period of six months. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Roads and & Buildings.

A short question in this writ petition is as to whether the respondent herein was justified in debarring the petitioner from participating in the tender in the R & B Circle, Warangal. If there was any defect on the part of the petitioner, the respondent could have ignored or rejected the tender. In case the respondent felt that the petitioner is liable to be debarred or blacklisted on account of any acts or omissions, he ought to have put the petitioner on notice. No such exercise was undertaken.

On that short ground, the writ petition is allowed and the impugned order is set aside. It is, however, left open to the respondent to take necessary action if he so wishes, after issuing notice to the petitioner. There shall be no order as to costs.

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30.11.2005

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